THE HON'BLE SRI JUSTICE B.PRAKASH RAO

AND

THE HONBLE DR.JUSTICE G.YETHIRAJULU

–

WRIT APPEALNO. 761 OF 2005.

Between

1.The A.P.Housing Board, rep. By

its Vice Chairman & Housing Commissioner

Gruhakalpa, Hyderabad. And another

….Appellants

And

1.Kesa Madhavasen Gupta son of

Muralidhar Rao, Netaji market,

Kothaguden, Kammam district and

5 others

R3 to R6 were impleaded as per Court order, dated 01-04-2005 in WAMP 1409 of 2005.

…Respondents

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JUDGMENT (Per Sri B.Prakash Rao, J)

Heard both sides and at their request, the main appeal itself is taken up for disposal.

The respondents 1 and 2 in the writ petition are the appellants herein, which is the Housing Board, which seeks to assail the orders in the writ petition whereunder the learned single Judge has directed that steps to be taken for acquiring the land which have been authorizedly acquired by the respondents for the purpose of construction of houses.

Having heard the learned counsel and on representation it is pointed out by the learned Standing Counsel Mr.J.Prabhakar Reddy, appearing on behalf of the appellants that tentative payment has already been made to the concerned Revenue Divisional Officer through cheque bearing No.20905 for making payment to the respondents herein and accordingly the same can be accepted and steps can as well be initiated by the concerned authorities for acquiring such extent of land for the purpose of the scheme.

It is needless to mention that having regard to the fact that payment has already been made and the occupation of the appellants herein and the houses also having come up, the authorities would make necessary relaxation with regard to proceeding with the acquisition and take all the steps as provided under the Land Acquisition Act in determining the market value showing the same to the claimants. The amount which has been sent by the appellants herein has to be distributed among the respondents-writ petitioners.

Accordingly, the writ appeal is disposed of. No costs.

B.PRAKASH RAO, J

Dated: 04-10-2005.

G.YETHIRAJULU, J

Hsd

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